IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 19246 of 2007(N)

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CC.43/2003 of J.M.F.C.-I, PUNALUR

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PETITIONER:

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N.RAGHAVAN UNNITHAN,
S/O.NARAYANAKURUP, AGED 74, PALANKONATHU VEEDU,
KOTTAKKERAM WARD, PARIPPALLY, KOLLAM DISTRICT.

BY ADV. SRI.C.S.MANILAL

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. ADMINISTRATIVE DIRECTIVE INSPECTOR,
CBCID (HEAD QUARTERS), THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**R.BASANT, J**

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**W.P(C).No.19246 of 2007**

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Dated this the 3rd day of July, 2007

**ORDER**

The grievance of the petitioner, a person, aged about 75 years and the defacto complainant in Crime No.34 of 1993 is that there is no expeditious disposal of the case even though a period of about 1 ½ decades has elapsed. Final report has already been filed. The case is pending before the learned Judicial Magistrate of the First Class-II Forest Offences, Punalur as C.C.No.43 of 2003. The report of the learned Magistrate shows that trial has already commenced and there is delay in the conclusion of trial because the Prosecutor is keeping on requesting for time to get ready with the trial. Trial has already commenced and some witnesses have already been examined. I am, in these circumstances, satisfied that the prayer of the petitioner is most reasonable. Strict and specific directions regarding the conduct of further trial can be issued. The Prosecutor must certainly co-operate with the court to expeditiously dispose of the case.

2. In these circumstances, this Writ Petition is, allowed. It is directed that the learned Judicial Magistrate of the First Class-II (Forest Offences) Punalur shall dispose of C.C.No.43 of 2003 as expeditiously as possible - at any rate, within a period of 6 months from this date. Compliance shall be reported to this Court.

**(R.BASANT, JUDGE)**

rtr/-